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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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10 DAVID PENNINGTON,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Deputy  
Commissioner of Social Security for  
Operations,  
14

15 Defendant.

CASE NO. 2:17-CV-00576-JRC

ORDER ON STIPULATED  
MOTION FOR EQUAL ACCESS  
TO JUSTICE ACT FEES

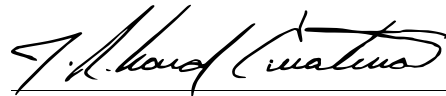
16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local  
17 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge  
18 and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).  
19 This matter is before the Court on plaintiff's Stipulated Motion for Attorney Fees (*see* Dkt. 20).

20 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the stipulation of  
21 the parties (*see* Dkt. 20), the attorney declaration and time and expense itemizations (Dkt. 20,  
22 Attachments 2, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of  
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1 \$3,480.87 shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v.*  
2 *Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at \*\*\*6-\*\*\*7 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after the Order for  
4 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined  
5 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the  
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Victoria B.  
7 Chhagan, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney (*see*  
8 Federal Court Retainer Agreement, Dkt. 20, Attachment 4). If there is an offset, the remainder  
9 shall be made payable to plaintiff, based on the practice of the Department of the Treasury (*see*,  
10 *e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees shall be mailed to plaintiff's  
11 counsel, Victoria B. Chhagan, Esq., at Douglas, Drachler, McKee & Gilbrough, 1904 Third  
12 Avenue, Seattle, WA 98101.

13 Dated this 23rd day of April, 2018.

14 

15 J. Richard Creatura  
16 United States Magistrate Judge